

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
08 JUN 20 PM 2:02  
OFFICE OF THE CLERK

JESSICA MARTINEZ,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent,

8:06CR71  
Case No. 4:08-CV-806 RWS

**ORDER OF TRANSFER**

This matter is before the Court upon the motion of Jessica Martinez to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255.

A review of the instant motion indicates that movant is attacking a federal criminal conviction and sentence which arose in the United States District Court for the District of Nebraska. See United States v. Martinez, Cause No. 8:06-CR-71 LSC-TDT (D. Neb.).<sup>1</sup> A § 2255 motion is filed with the federal court which imposed the sentence. See 28 U.S.C. § 2255. Therefore, this Court may not consider the instant motion. Pursuant to 28 U.S.C. § 1631, a court shall, if it is in the interest of justice, transfer such action to any other court in which the action could have been brought at the time it was filed. Because movant is proceeding pro se and is a prisoner, the

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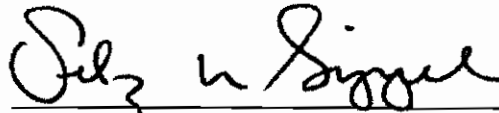
<sup>1</sup>The Court notes that movant's criminal case number was verified using the Administrative Office of the Court's U.S. Party/Case Index.

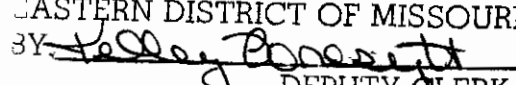
Court will transfer this action to the District of Nebraska.

In accordance with the foregoing,

**IT IS HEREBY ORDERED** that the Clerk shall **TRANSFER** the instant motion to vacate, set aside, or correct the sentence to the United States District Court for the District of Nebraska, pursuant to 28 U.S.C. § 1631.

Dated this 18th day of June, 2008.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

JAMES C. WOOD, CLERK  
A TRUE COPY OF THE ORIGINAL  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
BY:   
DEPUTY CLERK